

From: [Pletan, Elizabeth](#)
To: [Bashor, Arthur N](#)
Cc: [Pereira, Stephen](#); [Shewmake, Kenneth](#)
Subject: RE: Lane Plating Superfund Site Access Agreement
Date: Wednesday, October 24, 2018 10:32:59 AM
Attachments: [image001.png](#)
[Right of Entry - Lane Plating CRT and ANB EP comments.docx](#)
[1992 CERCLA 121\(e\)\(1\) Memorandum.pdf](#)
[EPA Access Memo.pdf](#)

Hi Art,

Thank you very much for sending along the access agreement draft last Friday. I have attached a redline with some comments—if you're available, I would like to discuss before Stephen, Ken and I visit the City tomorrow afternoon. I'm afraid I am out of the office this afternoon for some appointments but I'm available all day tomorrow before we head over your way.

I have attached a couple other things to help our discussion—first, a 1987 memo on EPA's access authority that sets forth EPA's longstanding policy against accepting conditions on access that impose indemnity or compensatory obligations on EPA or operate as a release of liability (see page 7). Second, I have attached a memo on the permit exemption for CERCLA actions.

Thanks again and please let me know if there's a good time to talk tomorrow before our meeting.

Sincerely,

Elizabeth

From: Bashor, Arthur N [mailto:arthur.bashor@dallascityhall.com]

Sent: Friday, October 19, 2018 10:42 AM

To: Pletan, Elizabeth <Pletan.Elizabeth@epa.gov>

Cc: McGuire, James <james.mcguire@dallascityhall.com>; Vu, Joseph <joseph.vu@dallascityhall.com>; Frauli Trulson, Lori <lori.trulson@dallascityhall.com>

Subject: Lane Plating Superfund Site Access Agreement

Elizabeth,

Attached is a draft version of the access agreement for the Lane Plating Superfund site. Please review and feel free to redline or comment.

Best regards,

Art



Arthur N. (Art) Bashor

Assistant City Attorney

City of Dallas

Dallas City Attorney's Office

1500 Marilla St., 7DN

Dallas, TX 75201

O: 214-670-3490

F: 214-670-0622

arthur.bashor@dallascityhall.com

Please be advised that this e-mail is subject to being disclosed pursuant to a request for public information under the Texas Public Information Act.

CONFIDENTIALITY NOTICE: This communication, including attachments, is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If you are not the intended recipient of this communication, an employee or agent of the intended recipient who

is responsible for delivering it to the intended recipient, or you believe that you have received this communication in error, you are notified that any use, dissemination, distribution, or copying of the communication is strictly prohibited, may be unlawful, and are requested to reply to this email to notify the sender that you have received the communication in error and promptly delete this e-mail, including attachments without reading or saving them in any manner. Receipt by anyone other than the intended recipient(s) is not a waiver of any attorney/client or other privilege.